

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

TIMOTHY JONES,

Petitioner,

Case No. 3:20-cv-485

vs.

EDWARD SHELDON, Warden,  
Mansfield Correctional Institution,

District Judge Michael J. Newman  
Magistrate Judge Michael R. Merz

Respondent.

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**ORDER AND ENTRY: (1) ADOPTING THE REPORT AND RECOMMENDATION OF  
THE UNITED STATES MAGISTRATE JUDGE (Doc. No. 27); AND (2) DENYING  
PETITIONER'S FED. R. CIV. P. 60(b) MOTION (Doc. No. 26)**

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The Court previously adopted Magistrate Judge Michael R. Merz's Report and Recommendation and dismissed with prejudice this habeas corpus case. Doc. Nos. 20, 21. On October 21, 2021, the Clerk entered judgment thereon. Doc. No. 22.

This case is now before the Court on Petitioner's Fed. R. Civ. P. 60(b) motion (Doc. No. 26) and the Report and Recommendation (Doc. No. 27) issued by Magistrate Judge Merz. The report recommends denying Petitioner's motion. As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all filings in this matter. Petitioner has not filed objections to the Report and Recommendation (Doc. No. 27), and the time for him to do so has passed. *See* Fed. R. Civ. P. 72(a). Consequently, this matter is ripe for review.

Upon careful *de novo* consideration of the foregoing, the Court determines that the Report and Recommendation should be adopted. Accordingly, the Court: (1) **ADOPTS** in its entirety the

Report and Recommendation of the Magistrate Judge (Doc. No. 27) ; and (2) **DENIES** Petitioner's Fed. R. Civ. P. 60(b) motion (Doc. No. 26). This case remains **TERMINATED** on the docket.

**IT IS SO ORDERED.**

March 15, 2022

s/ Michael J. Newman  
Hon. Michael J. Newman  
United States District Judge